

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *[Signature]* D.C.

05 AUG 22 PM 2: 32

UNITED STATES OF AMERICA,)
vs.)
Plaintiff,)
vs.)
ALFREDO SHAW,)
Defendant.)

RECEIVED
CLERK, US DISTRICT COURT
WD OF TN, MEMPHIS

No. 04-20232-MaV

ORDER ALLOWING RETAINED COUNSEL TO WITHDRAW AND APPOINTING CJA
COUNSEL ON APPEAL

Before the court is the motion of the defendant Alfredo Shaw to be declared indigent for purposes of appeal. The motion was referred to the United States Magistrate Judge for determination. The court interprets the motion as a request to have counsel appointed under the Criminal Justice Act, 18 U.S.C. §3006A, ("CJA") for purposes of appeal.

In support of his motion, the defendant submitted on August 1, 2005, a financial affidavit of indigency signed under penalty of perjury. It appears to the court from the financial affidavit that defendant lacks sufficient financial resources to employ counsel to pursue an appeal and that he does not wish to waive counsel on appeal. Thus, the above-named defendant is qualified for appointment of counsel under 18 U.S.C. § 3006A(b).

IT IS THEREFORE ORDERED that CJA counsel be and hereby is appointed to represent the defendant on appeal unless relieved by order of this court or by order of the court of appeals.

Diane K. Vescovo
DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE
DATE: August 22, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 48 in case 2:04-CR-20232 was distributed by fax, mail, or direct printing on August 25, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT